

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RAYMOND J. PARDO,

Plaintiff,

-against-

KIRSTJEN NIELSEN,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 01/09/2020  
DATE FILED: 01/09/2020

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19 Civ. 616 (LGS)

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ORDER

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LORNA G. SCHOFIELD, District Judge:

WHEREAS, a status conference was held on January 9, 2020. As discussed at conference, it is hereby

**ORDERED** that, based on Defendant's representations to the Court that it does not intend to bring any counterclaims, Defendant's anticipated motions may be filed in lieu of an answer. It is further

**ORDERED** that, by **February 7, 2020**, Defendant shall provide Plaintiff the certified index of all proceedings before the Merit Systems Protection Board ("MSPB"). By **February 21, 2020**, the parties shall file a letter on ECF informing the Court whether there is dispute as to the administrative record that will be provided to the Court. It is further

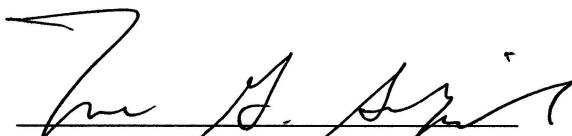
**ORDERED** that the parties may file cross-motions for summary judgment as to all issues in the case, according to the following schedule: Defendant shall file any motion for summary judgment by **April 3, 2020**; Plaintiff shall file his opposition and any cross-motion for summary judgment by **May 11, 2020**; Defendant shall file its reply and opposition to Plaintiff's cross-motion for summary judgment by **June 4, 2020**; and Plaintiff shall file his reply in support of his cross-motion by **June 15, 2020**. It is further

**ORDERED** that, by **May 11, 2020**, and in conjunction with any motions for summary judgment appealing the ruling of the MSPB, the parties shall jointly file a statement of facts

narrative that includes the parties' positions on disputed facts, if any. The parties' briefing, and the Rule 56.1 statements provided in support of any motions for summary judgment as to Plaintiff's Title VII claim, shall not, to the extent possible, include content already addressed in the joint statement of facts. It is further

**ORDERED** that the parties each shall not exceed sixty-three (63) pages of briefing in total, but may allocate the pages as they deem appropriate. In support of their motions, each party shall file exhibits totaling no more than 225 pages, but without limitation as to the number of exhibits filed. The exhibits shall be excerpted to include only relevant material, but the parties shall provide the Court with any excerpted documents in their entirety on a CD. The parties shall also provide the Court the full certified index of proceedings before the MSPB on a CD, and any citations to the index shall use Bates numbers. Plaintiff, in conjunction with filing his reply, shall provide courtesy copies of all briefs to the Court in accordance with the Court's Individual Rule III.B.5, and the parties shall otherwise comply with the Court's Individual Rules in filing their motions and supporting papers.

Dated: January 9, 2020  
New York, New York



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE